

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

CORDELLRA MCCALEY

PLAINTIFF

v.

No. 4:21-CV-00132-NBB-JMV

**WARDEN SIMON,
CAPTAIN MEEKS, and
C/O BUSBY**

DEFENDANTS

ORDER

The Court entered a Process and Scheduling Order on November 10, 2021, allowing Plaintiff's claims to proceed forward. Doc. # 10. Counsel for MDOC, however, notified the Court that he was unable to represent one of Defendants, C/O Budley, because "MDOC ha[d] no record of anyone matching the description of the defendant . . . having been employed by MDOC." Doc. # 16. Recently, Plaintiff submitted a filing in which he represented that he had mistakenly named "C/O Budley" as a Defendant, and instead identified "C/O Busby" as the individual responsible for the alleged constitutional violation(s). *See* Doc. # 24. The Court, consequently, entered an Order substituting "C/O Busby" as a Defendant in this action. *See* Doc. # 25. Plaintiff's allegations indicate that "C/O Busby" is an MDOC employee. *See* Doc. # 24. Accordingly, counsel for MDOC is hereby **DIRECTED** to advise the Court whether or not "C/O Busby" is an MDOC employee and, further, whether counsel will be representing him in this action within thirty (30) days from the date of this order.

SO ORDERED, this the 2nd day of February, 2022.

/s/ Jane M. Virden

JANE M. VIRDEN

UNITED STATES MAGISTRATE JUDGE